

What is a CAFO?

A concentrated animal feeding operation (CAFO) is a subset of an animal feeding operation that meets the federal criteria prescribed in 40 CFR Part 122.23 – based primarily on number of animals confined.

A "concentrated animal feeding operation," or CAFO, is an animal feeding operation that meets one or more of the following criteria:

- Large CAFO: confines 1,000 beef animals; 700 dairy cows; 2,500 or 10,000 swine depending on waste system type; 500 horses; 10,000 sheep or lambs; 55,000 turkeys; 30,000, 82,000 or 125,000 chickens depending on waste system type
- Medium CAFO: confines less than the number listed for Large CAFO, but equal to or greater than 300 beef; 200 dairy cattle; 750 or 3,000 swine; 150 horses; 3,000 sheep or lambs; 16,500 turkeys; or 9,000, 25,000 or 37,500 chickens and discharges pollutants into "waters of the United States" (either directly into on-site water, or indirectly by channeling wastes through a ditch, flushing system, or other device)
- It is designated by ADEQ upon determination that the operation, regardless of its size, is a significant source of pollution following A.A.C R18-9-D901(B) through (E)

What permits do I need from ADEQ to operate a CAFO?

From the Water Quality Division, the following permits may be required:

Aquifer Protection Permit (APP): All CAFOs are required to comply with the Nitrogen Management General Permit for CAFOs. This APP general permit (18 A.A.C. 9 Article 4) protects groundwater by minimizing discharges of nitrogen to groundwater from waste impoundments and other CAFO activities through the use of best management practices (BMPs).

AZPDES Permits: AZPDES Permits are required for point source dischargers in order to protect the water quality of streams, rivers and lakes. A CAFO operator should obtain an AZPDES CAFO General Permit if they discharge, intend to discharge or have discharged to a water of the United States (18 A.A.C. 9, Article 9). The AZPDES CAFO general permit controls the discharge of pollutants from the facility including the land application of manure and wastewater. Under the CAFO general permit, operators are required develop and follow a plan for handling manure and wastewater and submit an annual report to ADEQ. AZPDES Construction Stormwater General Permit is required if one or more acres of land will be disturbed during construction of the CAFO or its facilities; and an AZPDES De minimus General Permit is required if groundwater must be dewatered for construction.

From the Air Quality Division, an Agricultural PM10 General Permit will be required if the CAFO, greater than 10 acres in size, is in an area that is not meeting federal air quality standards for PM10 (18 A.A.C. Chapter 2, Article 6). This permit is intended to

reduce dust from CAFO operations by requiring operators to implement Best Management Practices. After implementation of a BMP, the operator is required to document the practice on the BMP agricultural PM10 permit record.

How do I apply for these permits?

For the Nitrogen Management General Permits, an owner or operator of a CAFO is covered under the general permit if the owner or operator complies with best management practices (BMPs) outlined in the rule, that minimize the discharge of nitrogen to the aquifer. The BMPs are designed to control nitrogen discharges through the:

1. Harvesting, stockpiling and disposal of animal manure;
2. Control and disposal of manure contaminated water from CAFO activities;
3. Construction and maintenance of the lining of any impoundment used to contain process wastewater or contact stormwater from a CAFO operation. The rule provides the lining requirements for new and existing impoundments and requires the owner or operator of a CAFO to notify ADEQ when a new impoundment is put into use or an existing impoundment liner has been upgraded.

For any of the AZPDES General Permits, a Notice of Intent (NOI) must be submitted to ADEQ for authorization to discharge under any of the three permits. The NOI applications for all three AZPDES permits are available on the ADEQ webpage at <http://www.azdeq.gov/envIRON/water/permits/azpdes.html>

What if I expand or move my existing dairy?

ADEQ should be notified of any additions or modifications made at a CAFO that may affect the way the facility manages its wastewater. Construction of a new impoundment must follow NRCS Guidelines as outlined in the nitrogen management general permit. If a CAFO is moving to a different location and the original site will no longer be operating as a CAFO, the owner/operator is required to notify ADEQ of the closure.

What am I required to do if I close my dairy?

If a facility ceases operation or is no longer a CAFO, the owner or operator is required to notify ADEQ of the closure. If the CAFO has coverage under an AZPDES permit or under an APP permit, specific requirements for closure apply such as a closure plan, removal of liquids and solids from the impoundment, liner removal and disposal and grading to prevent the collection of water. The facility must be closed in a manner that will minimize any discharge of a pollutant from the remaining manure, litter or associated process wastewater.

What will happen if I have an unauthorized discharge?

Unauthorized discharges of manure contaminated wastewater are prohibited and may require corrective action. Upon an owner or operators failure to comply, ADEQ may initiate the enforcement process by issuing an informal Notice of Opportunity to Correct

or Notice of Violation to a responsible party to address deficiencies in their waste-management practices. If warranted, ADEQ may take an administrative or civil enforcement action.

Who do I contact if I have an unauthorized discharge of a pollutant?

All CAFO facilities are required to report discharges within 5 days of discovery and implement a contingency plan. In addition, AZPDES permitted facilities are required to report to ADEQ discharges by phone within 24 hours of the discharge. Discharges are reported to ADEQ at (602) 771-4723.

What should I expect during an inspection by ADEQ?

Upon arrival, an ADEQ inspector will present an ADEQ photo identification badge. The inspector will explain and review the Notice of Inspection Rights form, applicable rules and checklist to be used during the inspection. Copies of the form, rules and checklist will be provided for the facility owner or representative and then the inspector will tour the facility accompanied by the owner or representative. The inspector will take photographs and global positioning (GPS) measurements of the facility. Water samples may be collected if a discharge is observed. Inspections generally take one to two hours to conduct depending on the complexity of the waste handling system or the presence of a discharge. Upon completion of the inspection, the ADEQ inspector will discuss with the facility owner or representative any compliance problems observed during the inspection. An inspection report will be sent to the facility within 30 business days.

Where can I get more information about CAFO requirements in Arizona?

Arizona Department of Environmental Quality
Water Quality Division
1110 W. Washington Street
Phoenix, AZ 85507

The CAFO Coordinator can be contacted at (602) 771-4723. Additional information is available on ADEQ's website at:
<http://www.azdeq.gov/environ/water/permits/cafo.html>

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